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EXAMINER

DURAN, ARTHUR D

ART UNIT PAPER NUMBER

3622

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,825

Applicant(s)

BARNETT ET AL.

Examiner

Arthur Duran

Art Unit

3622

NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 47-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>16, 20, 21</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 47-63 have been examined.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/6/04 has been entered.

Response to Amendment

3. The Amendment filed on 4/6/04 is sufficient to overcome the Von Kohorn reference.

Interference

4. Applicant's provocation of an Interference with Patent 6,076,069 has been noted. However, claims 47-62 are rejected as stated below. Therefore, an Interference has not been initiated.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it

Art Unit: 3622

pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 52, 58 rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 52 discloses a TCP/IP network. However, nowhere in applicants specification is a TCP/IP network explicitly disclosed.

Additionally, the claim is broader in scope than the specification. A TCP/IP network is broader than the Internet. Because TCP/IP is a protocol, there are TCP/IP based networks which are not part of the Internet. Hence, a TCP/IP network is broader than the Internet which is one manifestation of a TCP/IP network.

Claim 58 discloses, 'according to claim 57 wherein prior to step A, the server receives a request ^{for} ~~for~~ information from the client'. However, the Applicant's Specification does not disclose the server receiving a request for information from the client prior to establishing a connection over a communications channel between a client and a server.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3622

6. Claims 47-51 and 53-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nichtberger (4,882,675) in view of Valencia (5,380,991).

Claims 47, 57: Nichtberger discloses a system for distributing and redeeming electronic coupons comprising:

a first server system including a computer processor and associated memory, said first server system being connected by a communications channel to a client system, said first server system being adapted for transmitting an electronic coupon to said client system over said communications channel (col 5, lines 1-16; col 11, lines 40-50; col 30, lines 1-6);
said client system including associated memory, said client system being adapted for storing said electronic coupon in said memory (col 30, lines 1-6);
a second server system connected to said communications channel, said second server system being adapted to establish a connection with said client system and for detecting said electronic coupon stored on said client system, said second server system further being adapted to redeem said electronic coupon (col 30, lines 1-6).

Nichtberger further discloses that the card for storing coupon information is special (col 10, line 65-col 11, line 5).

Nichtberger does not explicitly disclose that the client system includes a computer processor and associated memory.

However, Valencia discloses client system including a computer processor and associated memory for storing and processing information related to electronic coupons (col 3, lines 13-20; col 3, lines 44-47).

Art Unit: 3622

Valencia further discloses that the features of Nichtberger are directly related to the invention disclosed (col 2, lines 15-35).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Valencia's smart card to Nichtberger's special card. One would have been motivated to do this because the smart card is an obvious improvement of the special card and allows for broader functionality.

Claim 48, 59: Nichtberger and Valencia disclose a system according to claim 47, 57, Nichtberger further discloses:

a third server system connected to said communications channel, said third server system being adapted for communicating with said second server system and for authorizing the redemption of said electronic coupon (Fig. 4; col 17, lines 49-60).

Claim 49: Nichtberger and Valencia disclose a system according to claim 47, and Nichtberger further discloses that said second server system is adapted to redeem said coupon as a function of a transaction initiated between said client system and said second server system (Fig. 4).

Claim 50: Nichtberger and Valencia disclose a system according to claim 47, and Nichtberger further discloses that said second server system is adapted to redeem said coupon by modifying a transaction initiated between said client system and said second server system (Fig. 4).

Claim 51: Nichtberger and Valencia disclose a system according to claim 47, and Nichtberger further discloses that said communications channel includes a network (Fig. 1; col 15, lines 25-30; col 12, lines 8-15).

Art Unit: 3622

Claim 53: Nichtberger and Valencia disclose a system according to claim 47, and Nichtberger further discloses that said first server system and said second server system are the same server system (col 5, lines 1-5).

Claim 54: Nichtberger and Valencia disclose a system according to claim 47, and Nichtberger further discloses that said electronic coupon is a token issued under the authority of an issuer for the benefit of said client (col 30, lines 17-30).

Claim 55: Nichtberger and Valencia disclose the system according to claim 47, and Nichtberger further discloses that said electronic coupon includes data representative of one or more of a serial or identification number, a validation key, an authentication key, an authorizing vendor, a redeeming vendor, a benefit or discount to be associated with a transaction, a level of access granted, and an issuing activity (col 30, lines 17-30; col 19, lines 34-39; col 22, lines 1-9).

Claim 56: Nichtberger and Valencia disclose the system according to claim 47, and Nichtberger further discloses that said electronic coupon includes data representative of the identity of a location at which additional coupon information resides (col 30, lines 24-30).

Claim 58: Nichtberger and Valencia disclose a method of distributing and redeeming an electronic coupon according to claim 57, and Nichtberger further discloses that prior to step A, the server receives a request for information from the client (col 5, lines 3-8; col 10, line 65-col 11, line 5).

Claim 60: Nichtberger and Valencia disclose a method of distributing and redeeming an electronic coupon according to claim 57, and Nichtberger further discloses the steps of establishing a connection between said subsequent server and an authentication server; said authentication server authenticating said electronic coupon and authorizing the

Art Unit: 3622

redemption of said electronic coupon (Fig. 4; col 17, lines 49-60; col 11, lines 40-45).

7. Claim 52, 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nichtberger (4,882,675) in view of Valencia (5,380,991) and in further view of Cameron (5,592,378).

Claim 52, 63: Nichtberger and Valencia disclose a system according to claim 47.

Nichtberger further discloses that the coupon includes a data component (col 19, lines 34-39; col 22, lines 1-9), that the communications channel operates over a network which can be expansive and operate over remote areas (col 32, lines 1-8; Fig. 1; col 15, lines 25-30; col 12, lines 8-15).

Nichtberger does not explicitly disclose that the network is TCP/IP based.

However, Cameron discloses redeeming coupons over a network that operated over remote areas that utilizes a TCP/IP based network (col 5, lines 13-16; col 11, lines 10-15).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Cameron's TCP/IP based network to Nichtberger's network operating over a remote area. One would have been motivated to do this because TCP/IP is a standard and effective protocol for a network operating over remote areas.

Furthermore, the Internet is one obvious manifestation of a TCP/IP network. One would have been motivated to utilize the Internet in order to utilize a readily available network.

8. Claims 47-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Von Kohorn (5,227,874) in view of Saigh (5,734,823).

Claims 47, 52, 53, 57, 61, 62, 63: Von Kohorn discloses a system for distributing and redeeming electronic coupons comprising:

a first server system including a computer processor and associated memory, said first

Art Unit: 3622

server system being connected by a communications channel to a remote client system, said first server system being adapted for transmitting an electronic coupon to said remote client system over said communications channel (col 74, lines 33-40; col 16, lines 30-40; col 19, lines 20-39; Fig. 29, item 904; col 94, lines 35-41; col 95, lines 5-10; col 32, lines 47-55; col 45, lines 41-44); said remote client system including a computer processor and associated memory, said remote client system being adapted for storing said electronic coupon in said memory (Fig. 30; col 14, lines 20-25; Fig. 26; Fig. 27; Fig. 4);

a second server system connected to said communications channel, said second server system being adapted to establish a connection with said remote client system (col 88, lines 29-55) and for detecting said electronic coupon stored on said remote client system (col 3, lines 3-22), said second server system further being adapted to redeem said coupon (col 87, lines 55-66).

Von Kohorn does not explicitly disclose that the electronic coupon is electronically redeemed by the central station.

However, Von Kohorn further discloses electronic communication and electronic communication between a client and server system (col 44, line 45-col 45, line 15; col 88, line 55- col 89, line 15; col 88, lines 29-55).

Von Kohorn further discloses redeeming incentives and mailing incentives for redemption (col 8, lines 47-49), redeeming incentives in a variety of manners including over the phone (col 82, lines 40-45; col 87, lines 55-66).

Von Kohorn further discloses that the operator of the service can redeem incentives (col 71, lines 17-23).

Art Unit: 3622

Von Kohorn further discloses that tokens can be coupons (col 2, lines 48-53; col 8, lines 44-49).

Von Kohorn further discloses that the first server system and second server system can be part of the same server system (Fig. 31; col 89, lines 37-42).

Von Kohorn further discloses the electronic transfer of incentive information to redemption centers for redemption (col 40, lines 10-15).

Hence, Von Kohorn discloses that either a second, different server system or a second server system associated with the first server system can electronically redeem incentives.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Von Kohorn electronic transfer of redemption information for redemption to Von Kohorn's operator of a service that can redeem incentives. One would have been motivated to do this in order to allow Von Kohorn's users convenient incentive redemption.

Von Kohorn further discloses that the method can utilize a variety of networks (col 44, line 45-col 45, line 15; col 88, line 55- col 89, line 15).

Von Kohorn further discloses the utilization of networks for disseminating information (Fig. 7; col 38, line 60-col 39, line 5), that coupons can be transmitted to users (col 74, lines 33-55; Fig. 29; col 2, lines 45-57; col 5, lines 56-61; col 22, lines 1-11; col 47, line 40-col 48, line 2; col 2, lines 45-52), and that coupons can be printed (col 10, lines 15-21).

Von Kohorn does not explicitly disclose that the communication channel can be the Internet.

Art Unit: 3622

However, Saigh discloses the utilization of the Internet for the dissemination of a variety of information (col 1, lines 38-41; col 5, lines 20-30), that coupons can be transmitted to users (col 14, lines 60-65; col 8, lines 3-6) and that the coupons can be printed (col 8, lines 59-61).

Saigh further discloses that the service system is associated with an Internet web site (col 14, lines 15-21).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Saigh's utilization of the Internet to Von Kohorn transmitting coupons. One would have been motivated to do this because the Internet is a readily available network for transmitting information.

Additionally, the Microsoft Press Computer Dictionary Third Edition defines 'personal computer' as,

"A computer designed for use by one person at a time. Personal computers do not need to share the processing, disk, and printer resources of another computer."

Von Kohorn discloses the utilization of a personal computer by the potential customer (Fig. 26; col 75, lines 31-49; col 76, lines 20-33; col 14, lines 20-25).

Von Kohorn further discloses downloading coupon information from a host to a client (col 74, lines 33-55; Fig. 29; col 2, lines 45-57; col 5, lines 56-61; col 22, lines 1-11) where the host is a host computer (col 94, lines 32-47) and the client is a client computer (Fig. 26).

Von Kohorn further discloses the utilization of a personal computer by the potential customer (Fig. 26; col 75, lines 31-49; col 76, lines 20-33).

Art Unit: 3622

Von Kohorn further discloses that the consumer can indicate an interest in a product and that incentives can be sent to a consumer in response to the consumer interest (col 47, line 40-col 48, line 2) and that the incentives can be coupons (col 2, lines 45-52).

Von Kohorn does not explicitly disclose that the coupon information on the client is electronically transferred to the central server system.

However, Von Kohorn further discloses recording at the client coupons that are on the client system (col 106, lines 42-48) and utilizing that information in marketing analysis (col 106, lines 48-54; col 108, lines 32-54).

Von Kohorn further discloses two way communication between the client system and the central facility or server system (col 44, lines 27-34; col 69, lines 40-46; col 97, lines 13-15).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Von Kohorn's two way communication between the client and server system to Von Kohorn's server system utilizing client system information for marketing analysis. One would have been motivated to do this in order to provide access to relevant information that can be used for marketing analysis.

Additionally, Von Kohorn discloses tracking and monitoring the pattern of providing and redeeming coupons related to users and time (col 106, line 38-55; col 100, line 54-60; col 101, lines 55-65).

Von Kohorn further discloses displaying products on a client system that feature coupons (col 82, lines 44-54).

Von Kohorn further discloses that coupons feature relevant coupon information (col 82, lines 34-40).

Art Unit: 3622

Von Kohorn further discloses that the relevant information on a coupon at the client system can be changed (col 83, lines 15-34).

It is inherent that in order to change the coupon information on the client system, the presence of the coupon on the client system must be detected. The system must be able to detect the coupon in order to change the coupon.

Therefore, Von Kohorn discloses detecting the electronic coupon stored on the client system.

Claim 48, 59: Von Kohorn and Saigh disclose a system according to claim 47, 57, Von Kohorn further discloses:

a third server system connected to said communications channel, said third server system being adapted for communicating with said second server system and for authorizing the redemption of said electronic coupon (col 8, lines 47-49; col 82, lines 40-45; col 87, lines 55-66; col 40, lines 10-15).

Claim 49: Von Kohorn and Saigh disclose a system according to claim 47, and Von Kohorn further discloses that said second server system is adapted to redeem said coupon as a function of a transaction initiated between said client system and said second server system (col 8, lines 47-49; col 82, lines 40-45; col 87, lines 55-66; col 40, lines 10-15).

Claim 50: Von Kohorn and Saigh disclose a system according to claim 47, and Von Kohorn further discloses that said second server system is adapted to redeem said coupon by modifying a transaction initiated between said client system and said second server system (col 8, lines 47-49; col 82, lines 40-45; col 87, lines 55-66; col 40, lines 10-15).

Claim 51: Von Kohorn and Saigh disclose a system according to claim 47, and Von Kohorn further discloses that said communications channel includes a network (col 38, line 60-col 39, line 11).

Claim 54: Von Kohorn and Saigh disclose a system according to claim 47, and Von Kohorn further discloses that said electronic coupon is a token issued under the authority of an issuer for the benefit of said client (col 2, lines 49-53).

Claim 55: Von Kohorn and Saigh disclose the system according to claim 47, and Von Kohorn further discloses that said electronic coupon includes data representative of one or more of a serial or identification number, a validation key, an authentication key, an authorizing vendor, a redeeming vendor, a benefit or discount to be associated with a transaction, a level of access granted, and an issuing activity (col 82, lines 34-55).

Claim 56: Von Kohorn and Saigh disclose the system according to claim 47, and Von Kohorn further discloses that said electronic coupon includes data representative of the identity of a location at which additional coupon information resides (col 82, lines 34-55).

Claim 58: Von Kohorn and Saigh disclose a method of distributing and redeeming an electronic coupon according to claim 57, and Von Kohorn further discloses that prior to step A, the server receives a request for information from the client (col 2, line 65-col 3, line 2; Fig. 34; Fig. 22; col 5, lines 31-40).

Claim 60: Von Kohorn and Saigh disclose a method of distributing and redeeming an electronic coupon according to claim 57, and Von Kohorn further discloses the steps of establishing a connection between said subsequent server and an authentication server; said authentication server authenticating said electronic coupon and authorizing the

Art Unit: 3622

redemption of said electronic coupon (col 88, lines 32-37).

Response to Arguments

9. Applicant's arguments with respect to claims 47-62 have been considered but are not found persuasive.

Applicant's arguments with respect to claims 63 have been considered but are moot in view of the new ground(s) of rejection.

Examiner notes that while specific references were made to the prior art, it is actually also the prior art in its entirety that is being referred to.

In regards to arguments in the Amendment dated 4/6/04 concerning the U.S.C. 112 rejection, the claim is broader in scope than the specification. A TCP/IP network is broader than the Internet. Because TCP/IP is a protocol, there are TCP/IP based networks which are not part of the Internet. Hence, a TCP/IP network is broader than the Internet which is one manifestation of a TCP/IP network. Applicant can not claim something broader than what is supported in the Specification. A TCP/IP network is broader than the Internet. Therefore, the Applicant's Specification supports the utilization of the Internet but not of a TCP/IP network. See MPEP 2163.05 Changes to the Scope of Claims and I. Broadening Claim.

Additionally, note the new USC 112 rejection stated above.

In regards to Applicant's arguments in the Amendment dated 4/6/04 concerning the U.S.C. 103 rejection utilizing Nichtberger, Valencia, and Cameron, Examiner notes that it is the Applicant's claims as stated in the Applicant's claims that are being rejected with the prior art.

Art Unit: 3622

Hence, in claims 47 and 57-51, the Applicant states, 'said client system including a computer processor and associated memory'. Whether the client system is a Personal Digital Assistant, personal computer, mainframe, laptop, or other form of client system is irrelevant as the claims make no statement as to the type of client system. The claims do state that the client system must have a computer processor and associated memory. And, the Valencia reference clearly discloses a client system, in the form of a smart card, with a computer processor associated memory. Additionally, the Applicant's amendment on page 11 states that a Smart Card, 'contains electronic memory. . .an embedded integrated circuit. . .storing. . .records. . .generating network Ids'. Hence, the specification of Valencia discloses the features of the Applicant's client system as stated in the Applicant's claims.

In regards to arguments made on page 13 of the Applicant's amendment, Applicant states, 'Nichtberger/Valencia fail to teach the first server system being adapted for transmitting an electronic coupon to said client system over said communications channel, and the client system being adapted for storing said electronic coupon in said memory.'

However, Nichtberger (col 30, lines 1-6) and Valencia (col 7, lines 41-49) clearly discloses that the client system stores electronic coupon in said memory.

Additionally, in Nichtberger (col 30, lines 1-6) it is inherent that the coupon information in the first server system is transmitted to the client system, which is the card. That the coupon information is transmitted is inherent because the coupon information is stored electronically on both the first server system and the client system. And, the information is 'recorded' on the second client system. Hence, the information must be transmitted in order to be recorded in a device where the information had not been.

Art Unit: 3622

In regards to arguments made on page 14 of the Applicant's amendment, Applicant states, 'Nichtberger/Valencia fail to teach a second server system connected to the communications channel'.

However, Nichtberger clearly discloses that there are multiple server systems that interact with the client system for coupon distribution and redemption (Fig. 1, item 10; Col 4, lines 41-47). Hence, the user utilizing the client system can be transmitted coupons at one location by a first server system and redeem coupons at a different location by a second or different server system.

In regards to the combination of Nichtberger and Valencia, Nichtberger discloses that the card for storing coupon information is special (col 10, line 65-col 11, line 5).

Nichtberger does not explicitly disclose that the client system includes a computer processor and associated memory.

However, Valencia discloses client system including a computer processor and associated memory for storing and processing information related to electronic coupons (col 3, lines 13-20; col 3, lines 44-47).

Valencia further discloses that the features of Nichtberger are directly related to the invention disclosed (col 2, lines 15-35).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Valencia's smart card to Nichtberger's special card. One would have been motivated to do this because the smart card is an obvious improvement of the special card and allows for broader functionality.

Art Unit: 3622

In response to applicant's argument that Von Kohorn is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

In this case, Von Kohorn discloses the utilization of networks for disseminating information (Fig. 7; col 38, line 60-col 39, line 5), that coupons can be transmitted to users (col 74, lines 33-55; Fig. 29; col 2, lines 45-57; col 5, lines 56-61; col 22, lines 1-11; col 47, line 40-col 48, line 2; col 2, lines 45-52), and that coupons can be printed (col 10, lines 15-21).

On page 11 of the Applicant's Amendment dated 4/6/04, Applicant states, "There appears to be not teaching, suggestion, or motivation to modify Von Kohorn to enable electronic redemption."

However, Von Kohorn explicitly discloses electronic redemption (col 40, lines 10-15).

Von Kohorn does not explicitly disclose that the electronic coupon is electronically redeemed by the central station.

However, Von Kohorn further discloses electronic communication and electronic communication between a client and server system (col 44, line 45-col 45, line 15; col 88, line 55- col 89, line 15; col 88, lines 29-55).

Von Kohorn further discloses redeeming incentives and mailing incentives for redemption (col 8, lines 47-49), redeeming incentives in a variety of manners including over the phone (col 82, lines 40-45; col 87, lines 55-66).

Von Kohorn further discloses that the operator of the service can redeem incentives (col 71, lines 17-23).

Von Kohorn further discloses that tokens can be coupons (col 2, lines 48-53; col 8, lines 44-49).

Von Kohorn further discloses that the first server system and second server system can be part of the same server system (Fig. 31; col 89, lines 37-42).

Von Kohorn further discloses the electronic transfer of incentive information to redemption centers for redemption (col 40, lines 10-15).

Hence, Von Kohorn discloses that either a second, different server system or a second server system associated with the first server system can electronically redeem incentives.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Von Kohorn electronic transfer of redemption information for redemption to Von Kohorn's operator of a service that can redeem incentives. One would have been motivated to do this in order to allow Von Kohorn's users convenient incentive redemption.

On page 12 of the Applicant's Amendment dated 4/6/04, Applicant states, ". . . does not appear to disclose, teach, or suggest the features of a second (or subsequent) server detecting the electronic coupon stored on the client system."

Von Kohorn does not explicitly disclose that the coupon information on the client is electronically transferred to the central server system.

However, Von Kohorn further discloses recording at the client coupons that are on the client system (col 106, lines 42-48) and utilizing that information in marketing analysis (col 106, lines 48-54; col 108, lines 32-54).

Art Unit: 3622

Von Kohorn further discloses two way communication between the client system and the central facility or server system (col 44, lines 27-34; col 69, lines 40-46; col 97, lines 13-15).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Von Kohorn's two way communication between the client and server system to Von Kohorn's server system utilizing client system information for marketing analysis. One would have been motivated to do this in order to provide access to relevant information that can be used for marketing analysis.

Additionally, Von Kohorn discloses tracking and monitoring the pattern of providing and redeeming coupons related to users and time (col 106, line 38-55; col 100, line 54-60; col 101, lines 55-65).

Von Kohorn further discloses displaying products on a client system that feature coupons (col 82, lines 44-54).

Von Kohorn further discloses that coupons feature relevant coupon information (col 82, lines 34-40).

Von Kohorn further discloses that the relevant information on a coupon at the client system can be changed (col 83, lines 15-34).

It is inherent that in order to change the coupon information on the client system, the presence of the coupon on the client system must be detected. The system must be able to detect the coupon in order to change the coupon.

Therefore, Von Kohorn discloses detecting the electronic coupon stored on the client system.

Art Unit: 3622

Conclusion

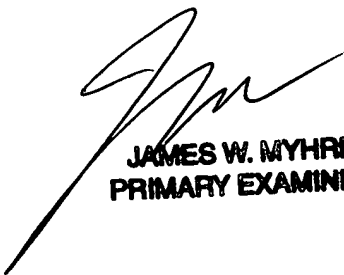
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (703)305-4687. The examiner can normally be reached on Mon- Fri, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (703)305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AD

6/9/04


JAMES W. MYHRE
PRIMARY EXAMINER